UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.2973
4 January 1991

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND SEVENTY-THIRD MEETING

Held at Headquarters, New York,
on Friday, 4 January 1991, at 12.15 a.m.

President:	Mr. BAGBENI ADEITO NZENGEYA	(Zaire)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	China	Mr. WANG Guangya
	Côte d'Ivoire	Mr. ANET
	Cuba	Mr. ZAMORA RODRIGUEZ
	Ecuador	Mr. POSSO SERRANO
	France	Mr. DELON
	India	Mr. GHAREKHAN
	Romania	Mr. MUNTEANU
	Union of Soviet Socialist Republics	Mr. VORONTSOV
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. WATSON
	Yemen	Mr. AL-ALFI
	Zimbabwe	Mr. MUMBENGEGWI

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91-60206/A 4392V (E)

READEX FICHE

The meeting was called to order at 12.45 a.m.

EXPRESSION OF THANKS TO THE RETIRING PRESIDENT

The PRESIDENT (interpretation from French): Since this is our first formal meeting this month, I wish on behalf of us all to convey our thanks to Ambassador Al-Ashtal of Yemen, who presided over the Council's work last month, for the excellent manner in which he conducted its proceedings. His diplomatic skills are well known, and I feel that we should once again convey to him our sincere expressions of gratitude for the competence and effectiveness with which he allowed us to settle very important matters during the month of December.

EXPRESSION OF WELCOME TO THE NEW MEMBERS OF THE SECURITY COUNCIL AND OF THANKS TO THE OUTGOING MEMBERS OF THE SECURITY COUNCIL

The PRESIDENT (interpretation from French): I wish to emphasize the constructive and positive contribution made by the outgoing members of the Council - Canada, Colombia, Ethiopia, Finland and Malaysia - which in the past two years have made wholly positive contributions to the Security Council in its work. Together with other members, they worked to enable the Council to perform its tasks.

Lastly, I wish to congratulate the new countries of the Security Council - Austria, Belgium, Ecuador, India and Zimbabwe. All five countries are well known for their commitment to the cause of peace, and we are sure that their presence among us will contribute to the cause of peace in the world and allow the Council better to perform its work.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

The PRESIDENT (interpretation from French): I should like to inform the Council that I have received a letter dated 3 January 1991 from the Chargé

(The President)

d'affaires ad interim of Palestine to the United Nations, which will be issued as document S/22045 and which reads as follows:

"I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to participate in the debate on the item entitled 'The situation in the occupied Arab territories'."

The request is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure of the Security Council but if approved by the Council would invite the Permanent Observer of Palestine to participate, not under rule 37 or rule 39, but with the same rights of participation of rule 37.

Does any member of the Security Council wish to speak on this request?

Mr. WATSON (United States of America): The United States, as it normally does when this question is considered, will request a vote on the proposal before the Security Council, and the United States will vote against it on two grounds. First, we believe that the Council does not have before it a valid request to participate. Secondly, the United States maintains that the representative of the Palestine Liberation Organization (PLO) should be granted permission to participate only if the request complies with rule 39 of the provisional rules of procedure. In our view it is unwarranted and unwise for the Council to break with its own practice and rules.

As members of the Council we should ask ourselves this question: Does a decision to break with our rules and procedures enlarge or diminish the Council's ability to play a constructive role in the Middle East peace process? My delegation firmly believes it diminishes the Council's ability to play such a role.

As all members of the Council are aware, it is a long-established practice that Observers do not have the right to participate in the Security Council at

(Mr. Watson, United States)

their own request. Rather, a request must be made on the Observer's behalf by a Member State. My Government sees no justification for any departure from that practice. Further, there is nothing in resolutions recently adopted by the Assembly that would warrant a change in Security Council practice. It is also clear that General Assembly resolutions are not binding on the Security Council.

(Mr. Watson, United States)

General Assembly resolution 43/177, which purported to change the designation of the PLO Mission, did so

> "without prejudice to the observer status and functions of the Palestine Liberation Organization within the United Nations system, in conformity with relevant United Nations resolutions and practice". (General Assembly resolution 43/177, para. 3)

That resolution does not constitute recognition of any State of Palestine. Like many other Members of the United Nations, the United States does not recognize such a State.

The United States has consistently taken the position that under the provisional rules of procedure of the Security Council the only legal basis on which the Council may grant a right to participate to persons representing non-governmental entities is rule 39. For four decades the United States has supported a generous interpretation of rule 39 and would not have objected had this matter been appropriately raised under that rule. We are, however, opposed to special, ad hoc departures from orderly procedure. The United States consequently opposes granting to the Palestine Liberation Organization the same rights to participate in the proceedings of the Security Council as that organization would have if it represented a Member State of the United Nations.

We believe in listening to all points of view, but not in a manner that requires violating the rules. In particular, the United States does not agree with the recent practice of the Security Council that appears selectively to try to enhance the prestige of those who wish to participate in the Council through a departure from the rules of procedure.

We consider this special practice to be without legal foundation and to constitute an abuse of the rules.

(Mr. Watson, United States)

For all those reasons the United States requests that the terms of the proposed invitation be put to a vote. Of course, the United States will vote against the proposal.

The PRESIDENT (interpretation from French): If no other member of the Council wishes to speak at this stage, I shall take it that the Council is ready to vote on the request by Palestine.

It is so decided.

I now put the request by Palestine to the vote.

A vote was taken by show of hands.

In favour: Austria, China, Côte d'Ivoire, Cuba, Ecuador, India, Romania, Union of Soviet Socialist Republics, Yemen, Zaire, Zimbabwe

Against: United States of America

Abstaining: Belgium, France, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT (interpretation from French): The result of the voting is as follows: 11 votes in favour, 1 vote against and 3 abstentions. The request by Palestine has been approved.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a place at the Council table.

The PRESIDENT (interpretation from French): The Security Council will now begin its consideration of the item on the agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of members of the Council to the following documents: S/22037, which contains the text of a letter dated 31 December 1990 from the Chargé d'affaires ad interim of the Permanent Observer Mission of

(The President)

Palestine to the United Nations addressed to the Secretary-General; and S/22040, which contains the text of a letter dated 31 December 1990 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestine People addressed to the Secretary-General.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The members of the Security Council are deeply concerned about recent acts of violence in Gaza, especially actions by Israeli security forces against Palestinians, which led to scores of casualties among those civilians.

"The members of the Council deplore those actions, particularly the shooting of civilians. They reaffirm the applicability of the Fourth Geneva Convention of 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and request that Israel, the occupying Power, fully comply with the provisions of the Convention.

"The members of the Council reaffirm their positions, most recently expressed in Security Council resolution 681 (1990), and support the work of the Secretary-General in implementing the said resolution. They further urge intensified efforts by all who can contribute to reducing conflict and tension in order to achieve peace in the area."

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 1 a.m.

UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.2973/Corr.1
30 January 1991

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND SEVENTY-THIRD MEETING

Held at Headquarters, New York,
on Friday, 4 January 1991, at 12.15 a.m.

Corrigendum

Page 3, lines 4 and 9

For Permanent Observer read Alternate Permanent Observer

91-60326/A 4409V (E)

UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.2974
22 January 1991

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND SEVENTY-FOURTH MEETING

Held at Headquarters, New York,
on Tuesday, 22 January 1991, at 5 p.m.

President:	Mr. BAGBENI ADEITO NZENGEYA	(Zaire)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	China	Mr. LI Daoyu
	Côte d'Ivoire	Mr. ANET
	Cuba	Mr. ALARCON de QUESADA
	Ecuador	Mr. AYALA LASSO
	France	Mr. BLANC
	India	Mr. GHAREKHAN
	Romania	Mr. MUNTEANU
	Union of Soviet Socialist Republics	Mr. VORONTSOV
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Yemen	Mr. AL-ASHTAL
	Zimbabwe	Mr. MUMBENGEGWI

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91-60241/A 4404V (E)

The meeting was called to order at 6.20 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN LIBERIA

LETTER DATED 15 JANUARY 1991 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF COTE D'IVOIRE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/22076)

The PRESIDENT (interpretation from French): I should like to inform the Council that I have received letters from the representatives of Liberia and Nigeria in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bull (Liberia) took a place at the Council table; Mr. Gambari (Nigeria) took a place at the side of the Council Chamber.

The PRESIDENT (interpretation from French): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the request contained in a letter dated 15 January 1991 from the Chargé d'affaires ad interim of the Permanent Mission of Côte d'Ivoire to the United Nations addressed to the President of the Security Council (S/22076). I should like to draw the attention of members of the Council to document S/22025, which contains the text of a letter dated

(The President)

14 December 1990 from the Permanent Representative of the Gambia to the United Nations addressed to the Secretary-General.

The first speaker is the representative of Liberia, upon whom I now call.

Mr. BULL (Liberia): It is a distinct honour to speak before the Security Council as it seeks, for the first time, to respond to the tragic consequences of the civil war that has devastated Liberia for over a year. That a response is now being made, more than one year since the conflict started, raises, in my opinion, the imperative need to review, and perhaps reinterpret, the Charter, particularly its provision which calls for non-interference in the internal affairs of Member States.

Regrettably, the strict application of this provision has hampered the effectiveness of the Council and its principal objective of maintaining international peace and security. As a result, millions of innocent men, women and children have continued to be victimized by conflicts throughout the world, and this world body, which has the moral obligation and authority, has been prevented from averting these human tragedies.

It will be recalled that seven months ago we made efforts to have the Council seized with the deteriorating situation in Liberia, which efforts were not approved. Today, after the displacement of nearly a half of Liberia's population of 2.5 million, after the loss of thousands of innocent lives and the virtual destruction of the entire country, we meet here with one resolve: to address and support the peaceful resolution of Liberia's tragic civil war.

But we must not dwell on the past. No matter how tragic or how fortunate it may be, we must look to the future with a new zeal and determination, having benefited from the lessons of the past. Full implementation of the peace plan formulated by the Economic Community of West African States could lead to the establishment of durable and lasting peace in Liberia. However, this will depend

(Mr. Bull, Liberia)

in large measure on the willingness and commitment of all the parties to the conflict to put the interests of the Liberian people above their own, for the people of Liberia fervently desire peace. They do not want or deserve any more wars.

(Mr. Bull, Liberia)

As efforts are made to find a peaceful solution to the Liberian crisis, there is a concomitant need to address the deteriorating social and economic conditions in the country. A recent report, issued on 20 December 1990 by Reuters, highlights the enormous problems confronting Liberia. According to that report, the civil war has made Liberia "the world's biggest human tragedy at present". The report further notes that the

> "response to the United Nations aid appeal issued on 5 December has not been very successful. Mr. Frank Ferhagen of the Office of the United Nations Disaster Relief Co-ordinator (UNDRO) is quoted as saying that
>
> > 'The situation is a forgotten emergency. Government structures are nonexistent. Hospitals are not functioning. No one has been vaccinated since the beginning of the year, and agriculture is at a standstill'".

It is estimated that over 80,000 Liberians have died in the civil war. And many more are still dying because of the lack of basic necessities such as medication, food and shelter. Nearly half of Liberia's population has been displaced, and several hundred thousand are refugees in neighbouring States. Most of the infrastructure of the country has been destroyed.

The international community is requested to respond positively to the humanitarian and other relief programmes that need to be implemented. The tasks of repatriation, resettlement, rehabilitation, reconstruction and the rebuilding of democratic institutions will also require the assistance of the international community.

In that connection I wish to reiterate our grateful appreciation to the members of the Economic Community of West African States (ECOWAS), the Secretary-General of the United Nations and all the Members that have contributed to the ECOWAS Cease-fire Monitoring Group (ECOMOG) and continue to make sacrifices in order to help restore peace in Liberia.

(Mr. Bull, Liberia)

On behalf of the people of Liberia, I ask for the empathy of members and for the continued support of the United Nations in meeting the urgent humanitarian needs of Liberia, a founding Member of this Organization.

I should like also to thank the Security Council and its members for the decision taken this evening to issue a statement on the Liberian crisis.

The PRESIDENT (interpretation from French): The next speaker is the representative of Nigeria. I invite him to take a place at the Council table and to make his statement.

Mr. GAMBARI (Nigeria): I wish to thank you, Sir, and the other members of the Security Council for giving me this opportunity to make a few comments on the proposed statement by the President of the Security Council on the tragic situation in Liberia.

I speak today as the alternate Chairman of the group of Ambassadors of countries members of the Economic Community of West African States (ECOWAS) here at the United Nations. We are deeply gratified that the international community has decided to put itself on record in support of the process of restoring peace, security and stability to the war-torn country of Liberia.

This is not the time to revisit the events that led to the tragic civil war in Liberia. It is certainly not the time to apportion blame. The leaders of the Economic Community of West African States decided they had to respond collectively to the cries of women and children and of other victims of the sad conflict in Liberia. This they did by authorizing and supporting the operations of the ECOWAS Cease-fire Monitoring Group (ECOMOG). ECOMOG's mandate is not to take sides, but to reconcile the sides, to restore peace and to create an atmosphere conducive to the resumption of free political activity and, eventually, democratic elections.

(Mr. Gambari, Nigeria)

The leaders of the sub-region worked hard for the establishment of a cease-fire, and all the parties to the conflict have in fact agreed to respect that cease-fire. It is important that the Security Council urge them to continue to respect that cease-fire.

ECOWAS should be commended for acting in ways that promote the principles of the United Nations Charter by stepping in to prevent the situation in Liberia from degenerating into a situation likely to constitute a real threat to international peace and security. Moreover, by acting to restore peace and stability in Liberia with the active support of the people of Liberia ECOMOG is already helping build a basis for the exercise of the most basic right of the people of Liberia, the right to life.

Nigeria commends the draft statement on Liberia which is to be issued on behalf of the Security Council. My country wishes also to commend the Secretary-General for his tireless efforts in organizing humanitarian assistance to the sovereign people of Liberia. We call on the international community not only to intensify humanitarian support for Liberia and for the hundreds of thousands of refugees inside Liberia and in neighbouring African States, but also to provide financial and logistic support for ECOMOG so it can complete its mission at the earliest possible time. That mission is to restore peace, normalcy and stability to a sister West African State. That mission is a noble one endorsed by all the leaders of the West African sub-region as well as by the Organization of African Unity.

The PRESIDENT (interpretation from French): Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

(The President)

"The members of the Security Council took note of the final communiqué of the first extraordinary session of the Heads of State and Government of the Economic Community of West African States (ECOWAS) issued in Bamako, Mali, on 28 November 1990.

"The members of the Security Council commend the efforts made by the ECOWAS Heads of State and Government to promote peace and normalcy in Liberia.

"The members of the Security Council call upon the parties to the conflict in Liberia to continue to respect the cease-fire agreement which they have signed and to co-operate fully with the ECOWAS to restore peace and normalcy in Liberia.

"The members of the Security Council express appreciation to the Member States, the Secretary-General and humanitarian organizations for the humanitarian assistance to Liberia and call for additional assistance. In this connection the Council welcomes the resumption of the United Nations emergency programme in Liberia following the acceptance of a general cease-fire.

"The members of the Security Council support the appeal launched by the ECOWAS Summit to the international community for increased humanitarian assistance to the people of Liberia".

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.40 p.m.

UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.2975
30 January 1991

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND SEVENTY-FIFTH MEETING

Held at Headquarters, New York,
on Wednesday, 30 January 1991, at 7.50 p.m.

President:	Mr. BAGBENI ADEITO NZENGEYA	(Zaire)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	China	Mr. WANG Guangya
	Côte d'Ivoire	Mr. ANET
	Cuba	Mr. ALARCON de QUESADA
	Ecuador	Mr. AYALA LASSO
	France	Mr. BLANC
	India	Mr. GHAREKHAN
	Romania	Mr. MUNTEANU
	Union of Soviet Socialist Republics	Mr. VORONTSOV
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Yemen	Mr. AL-ASHTAL
	Zimbabwe	Mr. MUMBENGEGWI

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91-60290/A 4412V (E)

The meeting was called to order at 7.50 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE MIDDLE EAST

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS INTERIM FORCE IN LEBANON (S/22129 and Add.1)

The PRESIDENT (interpretation from French): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them the report of the Secretary-General on the United Nations Interim Force in Lebanon for the period 25 July 1990 to 22 January 1991, which is contained in documents S/22129 and addendum 1.

In this report, it is mentioned that during the current mandate period four members of the Force lost their lives. Furthermore, 16 soldiers suffered injuries. I am sure that I speak for all members of the Council in extending sincere condolences to the Governments and families of the deceased who gave their lives in the cause of peace.

Members of the Council also have the following documents before them: S/22079, letter dated 14 January 1991 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General; and S/22170, which contains the text of a draft resolution prepared in the course of the Council's consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objections, it is so decided.

A vote was taken by a show of hands.

In favour: Austria, Belgium, China, Côte d'Ivoire, Cuba, Ecuador, France, India, Romania, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Zaire, Zimbabwe

The PRESIDENT (interpretation from French): There were 15 votes in favour. The draft resolution has therefore been adopted unanimously as resolution 684 (1991).

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The members of the Security Council have noted with appreciation the report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) (S/22129), submitted in conformity with resolution 659 (1990).

"They reaffirm their commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In that context, they assert that any State shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

"As the Security Council extends the mandate of UNIFIL for a further interim period on the basis of resolution 425 (1978), the members of the Council again stress the need for the implementation of that resolution in all its aspects. They express their appreciation for the continuing efforts of the Secretary-General and his staff in this regard. They reiterate their full support for the Taif Agreement and for the recent efforts of the Lebanese Government to extend its authority over all Lebanese territory.

(The President)

"The members of the Security Council take this opportunity to commend UNIFIL's troops and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 8 p.m.

UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.2976
31 January 1991

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND SEVENTY-SIXTH MEETING

Held at Headquarters, New York,
on Thursday, 31 January 1991, at 9.20 p.m.

President:	Mr. BAGBENI ADEITO NZENGEYA	(Zaire)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	China	Mr. LI Daoyu
	Côte d'Ivoire	Mr. ANET
	Cuba	Mr. ALARCON de QUESADA
	Ecuador	Mr. AYALA LASSO
	France	Mr. BLANC
	India	Mr. GHAREKHAN
	Romania	Mr. MUNTEANU
	Union of Soviet Socialist Republics	Mr. VORONTSOV
	United Kingdom of Great Britain and Northern Ireland	Mr. RICHARDSON
	United States of America	Mr. PICKERING
	Yemen	Mr. AL-ASHTAL
	Zimbabwe	Mr. MUMBENGEGWI

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91-60338/A 4413V (E)

The meeting was called to order at 9.20 p.m.

ADOPTION OF THE AGENDA

The PRESIDENT (interpretation from French): The provisional agenda for this meeting is before the Council in document S/Agenda/2976. Is there any objection to the adoption of the agenda?

Mr. ALARCON de QUESADA (Cuba)(interpretation from Spanish): We have before us a provisional agenda, the substantive item of which is "The situation between Iran and Iraq", based on the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group (UNIIMOG), and certain measures have been put forward to the Council. We hope that the Council will be able to adopt them, as it examines the prevailing situation with regard to the important tasks this Group is carrying out.

My delegation believes that it is appropriate for the Council to meet now to renew the mandate of UNIIMOG and to support it fully in the important responsibilities it is discharging.

However, my delegation cannot vote in favour of adopting the provisional agenda without voicing its deep dissatisfaction that the Council has not been able to consider a serious problem that is of concern to the entire world, a matter that is obviously the Council's most basic obligation to take up. Despite the fact that for more than one week a group of members of the Council has been asking for a meeting on an urgent basis and despite the fact that two members of the Council have requested that the Council meet to consider the war situation that currently exists in the region, thus far the Council has not done so, notwithstanding the clear and categorical provisions set forth in the Council's provisional rules of procedure.

(Mr. Alarcon de Quesada, Cuba)

In agreeing to consider tonight item 2 on the provisional agenda, my delegation also wishes to express its view that this body has a basic obligation to fulfil in connection with the war situation prevailing in the Gulf, the obligation to consider, to discuss and to hear the ideas and proposals member States wish to put forth -

The PRESIDENT (interpretation from French): I call upon the representative of the United States of America on a point of order.

Mr. PICKERING (United States of America): As a point of order, I suggest that, unless the representative of Cuba has a proposal to make with respect to the provisional agenda before us, the debate into which he is entering is completely out of order.

The PRESIDENT (interpretation from French): I agree that we have before us a provisional agenda. If the representative of Cuba wishes to raise a point of order under rule 30 of the provisional rules of procedure - that is, to raise a point of order - the President will be obliged to ask the members of the Security Council to take an immediate decision on his ruling with regard to the adoption of the provisional agenda.

Mr. ALARCON de QUESADA (Cuba)(interpretation from Spanish): I am speaking to item 1 of the provisional agenda, which is entitled "Adoption of the agenda". My delegation has every right to express its disagreement with the manner in which attempts are being made to muzzle the Council, with the activities that have prevailed lately, in violation of our fundamental obligation under the Charter and the provisional rules of procedure. That is the point of order that should be before the members of this Council.

The PRESIDENT (interpretation from French): I should like to remind members of the Council that we are now proceeding pursuant to rule 9 of the provisional rules of procedure, which stipulates that "The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda." If a member objects to the adoption of the provisional agenda, the President will be obliged to put that challenge to the vote.

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): You invited us, Mr. President, to comment on the point of order raised by my colleague, the representative of the United States. Despite the fact that rule 9 of the provisional rules of procedure states that "The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda", there is nothing in that or any other rule to preclude any delegation's asking to make a statement. Therefore -

The PRESIDENT (interpretation from French): I have to interrupt the representative of Yemen, because if he challenges the agenda, and if there is a challenge from our colleague from Cuba, I shall have to ask members of the Council to take a decision on that challenge. Rule 9 is clear:

"The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda."

If after the adoption of the agenda members of the Council wish to express their views on the item under consideration - the situation between Iran and Iraq - they may then speak on the item on the agenda, which would previously have been adopted. But if there is a challenge, I shall be obliged to put that challenge to the vote.

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): In these last few hours of your presidency, Mr. President, I hope you will allow us to comment more widely on the point of order that has been raised. When you interrupted me I was speaking of the point of order raised by the representative of the United States. I said that rule 9 did not preclude a statement by any member of the Security Council before the adoption of the agenda. Therefore, I say that the representative of Cuba has the right to make his statement.

(Mr. Al-Ashtal, Yemen)

I also wish to inform you, Mr. President, that I, too, should like to make a short statement, lasting about two minutes.

The PRESIDENT (interpretation from French): If members of the Council insist on putting their challenge to the vote, I am obliged to abide by the procedure specified in rule 9 of our provisional rules of procedure. Nowhere in the provisional rules of procedure is it stipulated that statements may be made before the agenda is adopted. We must therefore first adopt the agenda, and then if there is any challenge to this rule I shall request members of the Council to take a decision on that challenge. In other words, some would support that challenge and those who voted against would be those who would take a stand against that challenge and who would be in favour of the strict application of the Council's provisional rules of procedure pursuant to rule 9. The representatives of Cuba and Yemen have challenged the rule that has been proposed.

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): I did not challenge what you said about rule 9, Mr. President. My delegation considers that we can adopt the provisional agenda, and then I should like to speak on a matter pertaining to the agenda.

Mr. ALARCON de QUESADA (Cuba) (interpretation from Spanish): I had no doubt whatsoever, Mr. President, that I was entirely in order. In any event, the Secretariat might be kind enough to note my country's name, and then after the agenda is adopted we should like to speak in connection with the item on the agenda.

The PRESIDENT (interpretation from French): If there is no objection, I shall take it that the agenda is adopted.

The agenda was adopted.

THE SITUATION BETWEEN IRAN AND IRAQ

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS IRAN-IRAQ MILITARY OBSERVER GROUP (S/22148*)

The PRESIDENT (interpretation from French): I should like to inform the Council that I have received from the representatives of the Islamic Republic of Iran and of Iraq letters in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Zarif (Islamic Republic of Iran) took a place at the Council table; Mr. Al-Nima (Iraq) took a place at the Council table.

The PRESIDENT (interpretation from French): The Security Council will now begin its consideration of the item on its agenda. Members of the Council have before them the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group (UNIIMOG) for the period 21 November 1990 to 27 January 1991 (S/22148*).

Members of the Council also have before them the text of a draft resolution, contained in document S/22171, which has been prepared in the course of the Council's prior consultations. It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour: Austria, Belgium, China, Côte d'Ivoire, Cuba, Ecuador, France, India, Romania, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Zaire, Zimbabwe

The PRESIDENT (interpretation from French): There were 15 votes in favour. The draft resolution has thus been adopted unanimously as resolution 685 (1991).

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): By the resolution just adopted, the Security Council has decided to extend the mandate of the United Nations Iran-Iraq Military Observer Group (UNIIMOG) for a period of one month, until 28 February 1991, in accordance with the Secretary-General's request.

The delegation of Yemen joined in voting in favour of the resolution. After an eight-year war of destruction between Iran and Iraq, a new era of relations between those two countries has begun. We hope that these new relations will help in the establishment of peace and security in the area.

Just as we are closing this chapter of the past, we are witnessing a deterioration of the situation in the region because of the major war operations now taking place in accordance with Security Council resolution 678 (1990).

On 23 January, the countries of the Arab Maghreb called for a Security Council meeting to debate the situation in the region. On 24 January, as representative of Yemen in the Security Council, I put forward a similar request. I find it most regrettable that the Security Council has to date been unable to agree to my request in accordance with rule 2 of the provisional rules of procedure. This is the first time in the history of the Security Council that, regrettably, a request of this kind has not been accepted.

The war in the Gulf may lead to a crisis in the Security Council, which we fear may lead to paralysis of its work. It was incumbent on my delegation to put this problem forward because we believe the Security Council must always stand against war, particularly since these war operations have gone beyond our view of resolution 678 (1990). What we are witnessing today is more like an attempt to destroy the military and scientific infrastructure of Iraq than an attempt to liberate Kuwait.

We recognize the need for Iraq to withdraw from Kuwait and for restoration of Kuwait's full sovereignty. We call upon you, Mr. President, and the President for

(Mr. Al-Ashtal, Yemen)

February speedily to consider our request so that the Security Council may, openly in this Chamber, take the appropriate measures.

Mr. ALARCON DE QUESADA (Cuba) (interpretation from Spanish): Mr. President, I do not want to miss this opportunity, as we come to the end of January, to express our delegation's appreciation for all the efforts you have made. Although the public work of the Council has not been as intense as in past months, during this period we have in fact worked rather hard at other levels. We have witnessed your great efforts to discharge your responsibilities, and before your mandate as President comes to an end, we wish to express our appreciation for the manner in which you have conducted the deliberations of the Council this month.

My delegation referred to the contradiction facing the Council when we met to consider this agenda item and the situation that has prevailed in the last two weeks. We thought that in this agenda item we had found the right framework for our comments. Nowhere in the provisional rules of procedure have we found any reference to possible constraints on the right of Council members to speak in connection with the adoption of the agenda before its adoption. I do hope that now no one will deny that the subject to which I referred is related - and quite considerably, at that - to the subject of the resolution just adopted.

I would imagine that my colleagues have read the Secretary-General's report (S/22148). Paragraph 19 is the report's longest paragraph, and in it he is obliged to refer to the real war taking place in the region at the present time, which directly affects UNIIMOG's compliance with its mandate. My delegation wishes to draw members' attention to the fact that it does not serve the interests of this body that - as we express our appreciation for the efforts and praiseworthy mission being carried out by the members of UNIIMOG, and as we agree with the Secretary-General's final observations with regard to continuation of the process to consolidate peace and put an end to the most regrettable conflict that has

(Alarcon de Quesada, Cuba)

divided Iran and Iraq for so many years - the Council has ironically not yet been able to meet to perform a clear duty spelled out in the provisional rules of procedure, a primarily moral duty: to preserve future generations from the scourge of war, to do whatever can be done for peace. The members of the Council must not be deprived of the right under the Charter to be heard. Above all, the Council must not be placed in a situation in which it could be found to be ignoring the norms governing its activities.

In paragraph 19 of the Secretary-General's report, we read:

"With the deterioration of the situation in the second week of January 1991 and the requirement to ensure the safety of UNIIMOG personnel, it was decided as a precautionary measure to thin out the staff, both military and civilian, at the headquarters at Baghdad." (S/22148, para. 19)

That is appropriate. We agree with that view. We think it only fair to ensure the safety of UNIIMOG personnel, military and civilian. But my delegation is concerned about the thousands of women and children of both sides in this confrontation who are even now losing their lives without the Council's doing anything to prevent this from happening.

The PRESIDENT (interpretation from French): I think we have now reached the end of our work. However, I wish to reply to a remark made by the representative of Yemen and to say to him that all members of the Council are aware that rule 2 of the provisional rules of procedure was duly applied by the President. He has thus received a mandate from all members of the Council to conduct consultations. It is clearly understood that the members of the Council are unanimous in supporting the principle of convening a formal meeting of the Council. The President has therefore received a mandate to convene to agree on the date of that meeting.

(The President)

Hence the President for February will continue the consultations that his predecessor, in my person, began, and will prepare for that formal meeting in terms of form, substance and content, as was the case with the 13 other meetings of the Security Council that were the framework for the Council's decisions marked by the adoption of 12 resolutions by its members.

There are no further speakers for this meeting. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 9.50 p.m.